

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TASER INTERNATIONAL, INC., <i>et al.</i> ,)	
)	
Plaintiffs,)	Case No.: 1:10-CV-03108-JEC
)	
v.)	[On removal from the State
)	Court of Fulton County,
MORGAN STANLEY & CO., INC., <i>et al.</i> ,)	Georgia Case No.:
)	2008-EV-004739-B]
Defendants.)	
)	
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**PLAINTIFFS’ MOTION TO COMPEL DEFENDANTS BANC OF
AMERICA SECURITIES, LLC; MERRILL LYNCH, PIERCE, FENNER &
SMITH, INC.; AND MORGAN STANLEY & CO., INC. TO RESPOND TO
INTERROGATORIES AND PRODUCE DOCUMENTS FROM TRADERS
AND SALES PERSONNEL**

Plaintiffs hereby move the Court, pursuant to Federal Rule of Civil Procedure 37 and Local Rule 37.1, to compel Defendants Banc of America Securities, LLC; Merrill Lynch, Pierce, Fenner & Smith, Inc.; and Morgan Stanley & Co., Inc. (collectively “Defendants”) to respond to discovery served by Plaintiffs relating to traders and sales personnel. Plaintiffs request that the Court award Plaintiffs the attorneys’ fees and costs they incur in connection with this motion pursuant to Federal Rule of Civil Procedure 37(a)(5).

Respectfully submitted, this 9th day of December, 2010.

/s/ Elizabeth G. Eager

John E. Floyd

Georgia Bar No. 266413

Steven J. Rosenwasser

Georgia Bar No. 614908

Nicole G. Iannarone

Georgia Bar No. 382510

Elizabeth G. Eager

Georgia Bar No. 644007

Bondurant, Mixson & Elmore, LLP

3900 One Atlantic Center

1201 West Peachtree Street, N.W.

Atlanta, Georgia 30309-3417

(404) 881-4100 Tel.

(404) 881-4111 Fax

James W. Christian

State Bar No. 04228700

Gary M. Jewell

State Bar No. 10664800

Scott R. Link

State Bar No. 12390900

Christian, Smith, & Jewell, LLP

2302 Fannin, Suite 500

Houston, Texas 77002

(713) 659-7617 Tel.

(713) 659-7641 Fax

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF CONFERRAL

The undersigned hereby certifies that she conferred with counsel for Banc of America Securities, LLC, Merrill Lynch, Pierce, Fenner & Smith, Inc. and Morgan Stanley & Co., Inc. in a good faith effort to resolve the matters involved in Plaintiffs' Motion To Compel Defendants Banc Of America Securities, LLC; Merrill Lynch, Pierce, Fenner & Smith, Inc.; And Morgan Stanley & Co., Inc. To Respond To Interrogatories And Produce Documents From Traders And Sales Personnel and that the effort to resolve those matters by agreement has failed.

This 9th day of December, 2010.

/s/ Elizabeth G. Eager
Elizabeth G. Eager
Georgia Bar No. 644007

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1D of the Local Rules for the District Court for the Northern District of Georgia, I hereby certify that the foregoing pleading has been prepared in Times New Roman, 14 point font, as permitted by Local Rule 5.1B.

Respectfully submitted this 9th day of December, 2010.

/s/ Elizabeth G. Eager
Elizabeth G. Eager
Georgia Bar No. 644007

CERTIFICATE OF SERVICE

I hereby certify that on this day, a true and correct copy of the foregoing **PLAINTIFFS' MOTION TO COMPEL DEFENDANTS BANC OF AMERICA SECURITIES, LLC; MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.; AND MORGAN STANLEY & CO., INC. TO RESPOND TO INTERROGATORIES AND PRODUCE DOCUMENTS FROM TRADERS AND SALES PERSONNEL** was electronically filed with the Clerk of Court using the Court's electronic filing system which will automatically send an email notification of such filing to the following attorneys of record who are registered participants in the Court's electronic notice and filing system:

Attorneys for Defendants:

Richard H. Sinkfield, Esq.

Dan F. Laney, III, Esq.

Kristina M. Jones, Esq.

Stefanie H. Jackman, Esq.

James W. Cobb, Esq.

Rogers & Hardin

2700 International Tower, Peachtree Center

229 Peachtree Street, N.E.

Atlanta, GA 30303-1601

rsinkfield@rh-law.com

Further, I hereby certify that on this day, I caused to be served a true and correct copy of the foregoing by United States mail on:

**Attorneys for Banc of America Securities, LLC;
Merrill Lynch, Pierce, Fenner & Smith, Inc.; and Merrill Lynch
Professional Clearing Corporation:**

Andrew J. Frackman, Esq.
Brad Elias, Esq.
O'Melveny & Myers LLP
7 Times Square
New York, NY 10036

Attorneys for Morgan Stanley & Co. Incorporated:

Robert F. Wise, Jr., Esq.
William J. Fenrich, Esq.
Melissa T. Aoyagi, Esq.
Davis Polk & Wardwell LLP
450 Lexington Avenue
New York, NY 10017

**Attorneys for Bear Stearns & Co., Inc. and Bear Stearns
Securities Corp.:**

Stephen L. Ratner, Esq.
Harry Frischer, Esq.
Brian L. Friedman, Esq.
Proskauer Rose LLP
1585 Broadway
New York, NY 10036

**Attorneys for Goldman, Sachs & Co. and Goldman Sachs
Execution & Clearing, L.P.:**

Richard C. Pepperman II, Esq.
Richard H. Klapper, Esq.
Tracy Richelle High, Esq.
Sullivan & Cromwell LLP
125 Broad Street
New York, NY 10004

Attorneys for Deutsche Bank Securities Inc.:

Heather L. Fesnak, Esq.
Peter J. Isajiw, Esq.
Gregory A. Markel, Esq.
Cadwalader Wickersham & Taft LLP
One World Financial Center
New York, NY 10281

Attorneys for UBS Securities, LLC:

Andrew B. Clubok, Esq.
Jeffrey G. Landis, Esq.
Daniel Gomez, Esq.
Kirkland & Ellis LLP
655 Fifteenth Street, N.W., Suite 1200
Washington, DC 20005-5793

Maria Ginzburg, Esq.
Kirkland & Ellis LLP
Citigroup Center
153 East 53rd Street
New York, NY 10022-4611

Attorneys for Credit Suisse Securities (USA), LLC.:

Fraser L. Hunter, Jr., Esq.
Wilmer Cutler Pickering Hale & Dorr LLP
399 Park Avenue
New York, NY 10022

This 9th day of December, 2010.

/s/ Elizabeth G. Eager
Elizabeth G. Eager
Georgia Bar No. 644007